

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/646,622

Confirmation No.: 8701

Filing Date: August 22, 2003

Inventors: Timothy H. Floyd  
Paul David Miller, III

Title: APPARATUS AND METHODS  
FOR PRODUCING AND  
DISPENSING AUTOMOBILE  
APPEARANCE CARE  
PRODUCTS CHARGED TO A  
CUSTOMER ON SELECTED  
BASES

§ Examiner: Kaufman, Joseph  
§ Art Unit: 3754  
§ Atty. Dkt. No.: 5082-09907  
§

<p>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8</p> <p>DATE OF DEPOSIT: <u>July 13, 2005</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:</p> <p>Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p><u>B. Gail Ballard</u> B. Gail Ballard</p>
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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION  
OVER A PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

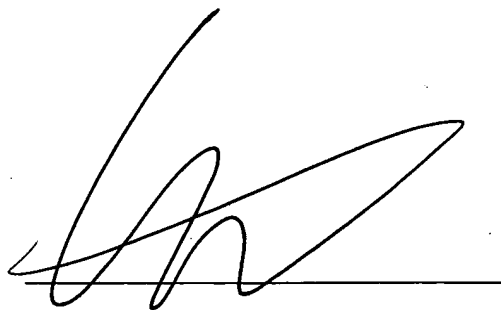
1. Auto Wax Company, Inc. is the owner of all rights in the captioned application.
2. As sole owner in the captioned application, Auto Wax Company, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application Serial Nos. 10/646,338; 10/646,370; 10/646,372; 10/646,630; 10/646,523; and 10/646,629.
3. Auto Wax Company, Inc. hereby agrees that any patent so granted on the captioned application shall be enforceable only for and during such period that it and any

patent granted on U.S. Patent Application Serial Nos. 10/646,338; 10/646,370; 10/646,372; 10/646,630; 10/646,523; and 10/646,629 are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

4. In making the above disclaimer, Auto Wax Company, Inc. does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of of any patent granted on U.S. Patent Application Serial Nos. 10/646,338; 10/646,370; 10/646,372; 10/646,630; 10/646,523; and 10/646,629 as presently shortened by any terminal disclaimer, in the event that any patent granted on U.S. Patent Application Serial Nos. 10/646,338; 10/646,370; 10/646,372; 10/646,630; 10/646,523; and 10/646,629 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.
5. Auto Wax Company, Inc. certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above.
6. The Terminal Disclaimer fee under 37 CFR 1.20(d) is included.

Floyd et al.  
10/646,622

By: \_\_\_\_\_



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Date: July 13, 2005



PATENT

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**FEE AUTHORIZATION**

**MS Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5082-09907:

\$ 65.00 – Statutory Disclaimer Fee

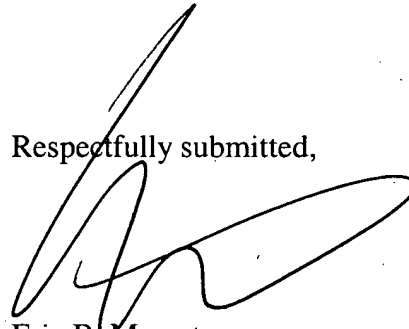
Total Amount: \$65.00

Attorney Docket No.: 5082-09907

Floyd et al.  
10/646,622

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Respectfully submitted,



Eric B. Meyertons  
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